

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Larry E. ARTHAUD

Serial No.: 10/596,734

Filed: June 22, 2006

For: ANTI-CD52 ANTIBODY TREATMENT
FOR DIABETES

Group Art Unit: 1644

Examiner: Unknown

Atty. Dkt. No.: ILEX:096US

Confirmation No.: 9958

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

April 3, 2007

Date

mdew
Monica A. De La Paz

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US), dated March 22, 2007, there are enclosed
herewith:

- (a) Declaration executed on behalf of Larry E. ARTHAUD;
- (b) A Power of Attorney on behalf of Genzyme Corporation;
- (c) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US); and
- (d) A copy of Written Opinion of the International Searching Authority for
PCT/US04/43142.

Applicants note that the Notification of Missing Requirements indicates fees due of \$300.00, including \$100.00 to complete the search and \$200.00 to complete the examination. According to 37 CFR 1.492(b)(1) and (c)(1), "If an international preliminary examination report on the international application prepared by the United States International Preliminary Examining Authority or a written opinion on the international application prepared by the United States International Searching Authority states that the criteria of novelty, inventive step (non-obviousness), and industrial applicability, as defined in PCT Article 33 (1) to (4) have been satisfied for all of the claims presented in the application entering the national stage," no search or examination fees are due. The Written Opinion of the United States International Search Authority for the international application PCT/US04/43142, of which a copy is included with this filing, indicates the claims meet the criteria set out in PCT Article 33. Therefore, it is believed that no fees are due in connection with this filing.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/ILEX:096US.

Respectfully submitted,



Monica A. De La Paz
Reg. No. 54,662
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: April 3, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/596,734	FIRST NAMED APPLICANT Larry E. Arthaud	ATTY. DOCKET NO. ILEX:096US
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32425
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INTERNATIONAL APPLICATION NO. PCT/US04/43142	
I.A. FILING DATE	PRIORITY DATE

CONFIRMATION NO. 9958

371 FORMALITIES LETTER



OC000000023016009

Date Mailed: 03/22/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/22/2006
- Copy of the International Search Report filed on 06/22/2006
- Preliminary Amendments filed on 06/22/2006
- Information Disclosure Statements filed on 10/23/2006
- U.S. Basic National Fees filed on 06/22/2006
- Claims filed on 06/22/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$300** for a Large Entity:

- The application search fee has not been paid. Applicant must submit **\$100** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/596,734	PCT/US04/43142	ILEX:096US